

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

MARY LOU PETT; KATHLEEN FICK-
GEE; DIANE BRYCE; PATTI
DELVALLE; MICHELE HOLCOMB; KIM
READUS; ALICE REESE; ERIKA VAN
ALLER; and LINDA WHITE, individually
and on behalf of all others similarly situated,

Case No. 2:22-CV-11389-DPH-EAS

**DEFENDANT'S STIPULATION
FOR EXTENSION OF TIME TO
ANSWER OR OTHERWISE
RESPOND TO PLAINTIFFS'
SECOND AMENDED CLASS
ACTION COMPLAINT**

Plaintiffs,

v.

PUBLISHERS CLEARING HOUSE, INC.,

Defendant.

Pursuant to Fed. R. Civ. P. 6(b)(1)(A), Defendant Publishers Clearing House, LLC¹ (“PCH”) hereby respectfully requests a fourteen-day extension to file its Answer to Plaintiffs’ Second Amended Class Action Complaint [Dkt. No. 22] (“SAC”), and in support of states as follows:

BACKGROUND

1. On June 22, 2022, Pett filed a Class Action Complaint against PCH (“Complaint”) in the United States District Court for the Eastern District of Michigan. [Dkt. No. 1.]

¹ Erroneously sued as Publishers Clearing House, Inc.

2. On July 21, 2022, the Parties filed a stipulation to continue PCH’s responsive pleading deadline by 29 days. [Dkt. No. 8.] The Court granted the stipulation on July 25, 2022, making PCH’s responsive pleading deadline August 19, 2022. [Dkt. No. 13.]

3. On September 15, 2022, the Parties filed a stipulation (1) to allow Pett to file the First Amended Class Action Complaint (“FAC”) on or before September 19, 2022, and (2) to set PCH’s deadline to respond to the FAC on October 19, 2022. [Dkt. No. 17.]

4. Plaintiffs filed the FAC on September 19, 2022 [Dkt. No. 18], and the Court granted the stipulation on September 21, 2022, setting PCH’s responsive deadline on October 19, 2022 [Dkt. No. 19].

5. On October 19, 2022, PCH filed its Motion to Dismiss the FAC. [Dkt. No. 20.]

6. On November 8, 2022—the date Plaintiffs’ opposition to PCH’s Motion to Dismiss was due—Plaintiffs filed their Second Amended Class Action Complaint (“SAC”). [Dkt. No. 22.]

7. On November 16, 2022, the Parties filed a stipulation to continue PCH’s responsive pleading deadline to December 6, 2023 [Dkt. No. 23], which the Court granted on the same day it was filed. [Dkt. No. 24.]

8. On December 6, 2022, PCH filed its Motion to Dismiss Plaintiffs' SAC. [Dkt. No. 25.]

9. The motion to dismiss was fully briefed, with Plaintiffs filing their Opposition on December 27, 2023, [Dkt. No. 27], and PCH filing its reply on January 10, 2023. [Dkt. No. 28.]

10. On June 23, 2023, the Parties filed a Stipulation to Continue Defendant's Responsive Pleading Deadline to fourteen (14) days after the Court issues a ruling on Plaintiffs' Motion for Reconsideration, [Dkt. No. 51] which the Court granted on July 12, 2023. [Dkt. No. 52.]

11. On July 30, 2024, the Court entered an Order Denying Plaintiffs' Motion for Reconsideration, [Dkt. No. 58] therefore, Defendant's current responsive pleading deadline is August 13, 2024.

12. Not knowing when the Court would issue its order on Plaintiffs' Motion for Reconsideration, PCH's in-house counsel scheduled a vacation for the week of August 12, 2024.

13. Given that PCH's answer is currently due when PCH's in-house counsel is out on vacation, counsel for PCH contacted counsel for Plaintiffs, explained the situation, and requested that counsel for Plaintiff agree to a fourteen-day extension of PCH's answer deadline, up to and including August 27, 2024.

14. Counsel for Plaintiffs graciously agreed and agreed not to oppose this the relief requested herein.

REQUESTED RELIEF

WHEREFORE, Defendant Publishers Clearing House, LLC requests a fourteen-day extension of time, up to and including August 27, 2024, to file its responsive pleading to Plaintiffs' Second Amended Class Action Complaint.

IT IS SO STIPULATED.

Dated: August 12, 2024

By: s/ Matthew D. Pearson

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Dated: August 12, 2024

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Attorneys for Plaintiff and the Putative Class

CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2024, I caused to be electronically filed the foregoing using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Matthew D. Pearson
Matthew D. Pearson